

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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CANDY M. SOUSA, on behalf of herself )  
and all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 3:04-CV-30022 (MAP)

WAVE SYSTEMS CORPORATION, )  
JOHN E. BAGALAY, JR., STEVEN K. )  
SPRAGUE, and GERARD T. FEENEY, )

Defendants. )

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YOSEF STREICHER, on behalf of himself )  
and all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 3:04-CV-30026 (MAP)

WAVE SYSTEMS CORPORATION, )  
JOHN E. BAGALAY, JR., STEVEN K. )  
SPRAGUE, and GERARD T. FEENEY, )

Defendants. )

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[Captions continued on next page]

**DECLARATION OF PETER A. LAGORIO IN SUPPORT OF REPLY MEMORANDUM  
OF LAW IN FURTHER SUPPORT OF THE BRUMBAUGH PLAINTIFF GROUP  
TO BE APPOINTED LEAD PLAINTIFF AND FOR APPROVAL OF  
LEAD PLAINTIFF'S SELECTION OF LEAD COUNSEL AND LIAISON COUNSEL,  
AND IN FURTHER OPPOSITION TO COMPETING MOTIONS**

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RAFAT DAWOD, individually and on )  
behalf of all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 3:04-CV-30029 (MAP)

WAVE SYSTEMS CORPORATION, )  
STEVEN K. SPRAGUE, and GERARD T. )  
FEENEY, )

Defendants. )

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ALVIN CHESS, individually and on behalf )  
all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 3:04-CV-30037 (MAP)

WAVE SYSTEMS CORPORATION, )  
STEVEN K. SPRAGUE, and GERARD T. )  
FEENEY, )

Defendants. )

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MICHAEL VICKER, on behalf of himself )  
and all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 3:04-CV-30040 (MAP)

WAVE SYSTEMS CORPORATION, )  
JOHN E. BAGALAY, JR., STEVEN K. )  
SPRAGUE, and GERARD T. FEENEY, )

Defendants. )

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[Captions continued on next page]

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H. MARTIN BOHMAN, individually and )  
on behalf of all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 3:04-CV-30041 (MAP)

WAVE SYSTEMS CORPORATION, )  
STEVEN K. SPRAGUE, and GERARD T. )  
FEENEY, )

Defendants. )

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JIMMY SUO, on behalf of himself and all )  
others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 3:04-CV-30042 (MAP)

WAVE SYSTEMS CORPORATION, )  
STEVEN K. SPRAGUE, and GERARD T. )  
FEENEY, )

Defendants. )

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JACK SCHULMAN, individually and on )  
behalf of all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 3:04-CV-30043 (MAP)

WAVE SYSTEMS CORPORATION, )  
STEVEN K. SPRAGUE, and GERARD T. )  
FEENEY, )

Defendants. )

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Peter A. Lagorio, declares under penalty of perjury this 28<sup>th</sup> day of April, 2004:

1. I am an attorney at and a member of the law firm of Gilman and Pastor, LLP. I submit this declaration in support of Reply Memorandum of Law In Further Support of the Motion of The Brumbaugh Plaintiff Group To Be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel and Liaison Counsel, and in Further Opposition To Competing Motions.

2. Attached hereto as Exhibit A is a true and correct copy of the Memorandum and Order in *In re Carematrix Sec. Litig.*, C.A. No. 99-12318-MLW (D. Mass. 2000).

3. Attached hereto as Exhibit B is a true and correct copy of the Order Regarding Plaintiffs' Respective Competing Motions for Appointment of Lead Plaintiffs and Lead Counsel in *Meyer v. Paradigm Medical Industries, et al.*, No. 2:03-CV-448 TC (D. Utah Feb. 27, 2004).

4. Attached hereto as Exhibit C is a true and correct copy of the Order Consolidating Related Actions, Appointing Lead Plaintiff, and Approving Lead Plaintiff's Counsel in *Vangsgard v. Arbia, Inc., et al.*, Case No. C-03-00277 JF (N.D. Cal. 2003).

I hereby declare under penalty of perjury that the foregoing is true and correct.

/s/Peter A. Lagorio  
PETER A. LAGORIO